



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	\$223,292	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>\$ 223,292</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included in Current Budget? Yes  No   
 Does this item include the use of federal funds? Yes  No

Budget Account No:  
 Fund 3505 Dept 361 Unit 1428 Object 6120

**Recommended Sources of Funds/Summary of Fiscal Impact:**

Impact fee Project Description

This Resolution to initiate eminent domain proceedings, is necessary to undertake right-of-way acquisition for the widening of Old Dixie Highway, between Yamato Rd. and Linton Blvd. The widening will be from 2 lanes to 3 lanes which will provide additional roadway capacity needed to serve new development within Impact Fee Zone 5. Use of Impact Fees is in accordance with Article 13, Chapter H, Section 4 of the ULDC. *JAM*

Number of Parcels Going to Suit: 1  
 Right-of-Way : 1

Parcels: ROW 105

Estimated Total Acquisition Cost \$ 223,292.00

C. Departmental Fiscal Review: *Danny Ramlal Singh*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

*Lisa Mark* 9/18/23  
 OFMB *JAM 8/31/23 GA 9/6*  
 MD 9/6

*Mr. J. Jacobson* 9/18/23  
 Contract Dev. and Control  
*MD 9/18/23*

**B. Approved as to Form and Legal Sufficiency:**

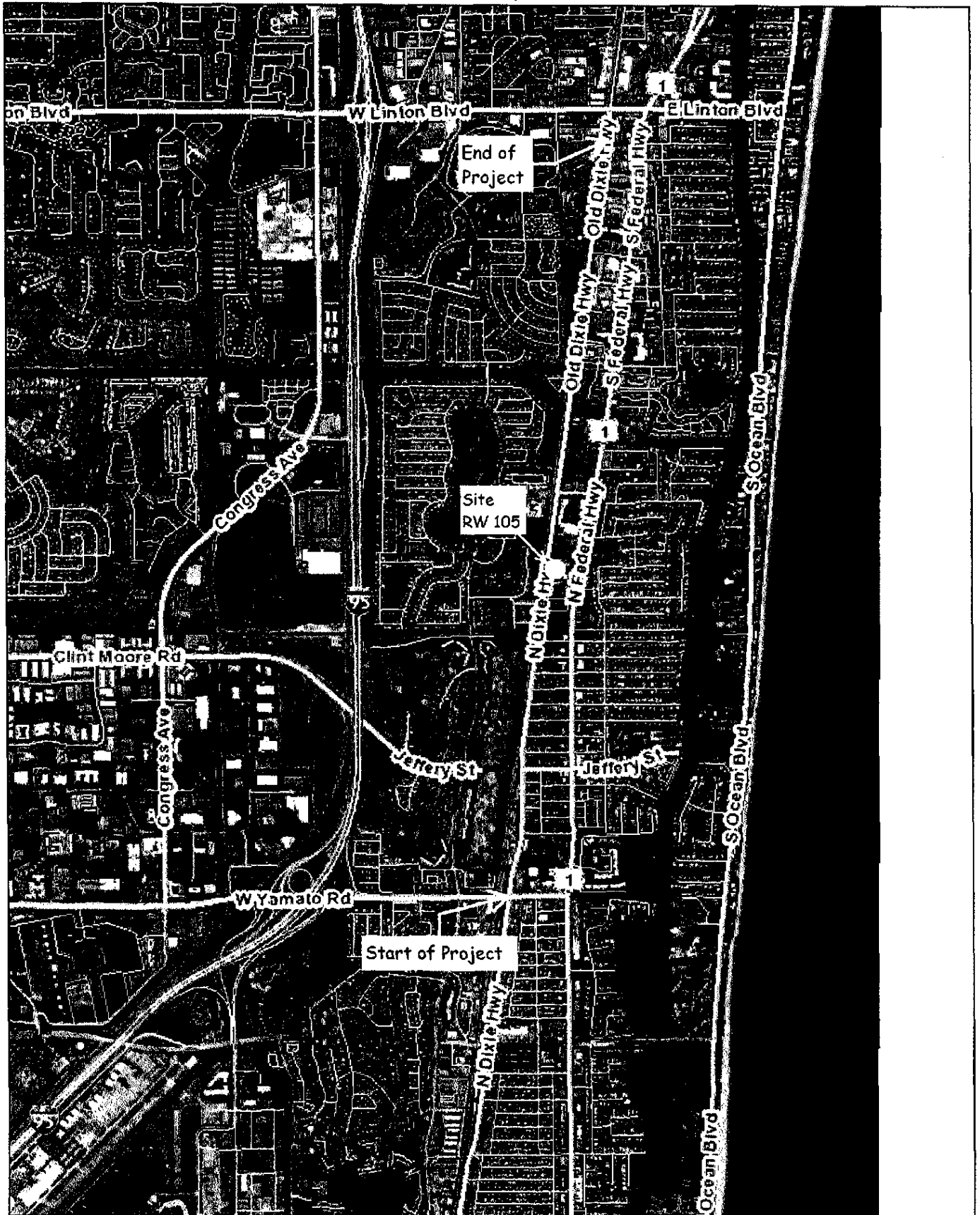
*[Signature]*  
 Assistant County Attorney

C. Other Department Review:  
 \_\_\_\_\_  
 Department Director

This summary is not to be used as a basis for payment.

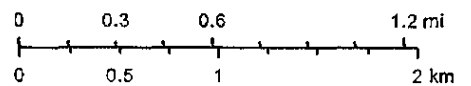
# Old Dixie Highway Project No. 2014500

Location Map



June 27, 2023

1:36,112



RESOLUTION NO. R-2023 - \_\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY DESIGNATED AS PARCEL 105, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.**

**WHEREAS**, the Palm Beach County (County) Engineer has recommended the acquisition of fee simple right-of-way, designated as Parcel 105, on the property described in Exhibit "A", to the Board of County Commissioners (BCC); and

**WHEREAS**, the parcel is necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

**WHEREAS**, the funds are available for the acquisition of fee simple right-of-way designated as Parcel 105; and

**WHEREAS**, the property owner has not accepted the offer to purchase made by the County; and

**WHEREAS**, the BCC is exercising its authority of Eminent Domain pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended; and

**WHEREAS**, in determining to proceed with the Project, and determining the Project's location, including Parcel 105, the BCC has considered the required factors pursuant to Florida law, including safety, costs, alternate routes or methodologies, long range plans, and the environment, as applicable to this parcel, more fully described in Exhibit "B"; and

**WHEREAS**, after considering the factors as set forth above, the BCC has determined that the acquisition of fee simple right-of-way designated as Parcel 105 on property which is more fully described in Exhibit "A", is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

**WHEREAS**, the proposed construction use and purpose of Parcel 105 are more fully described in Exhibit "B"; and

**WHEREAS**, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and

**WHEREAS**, the fee simple right-of-way on property described in Exhibit "A" to be acquired through Eminent Domain as authorized by this Resolution, is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida law, to the extent they may apply; and

**WHEREAS**, in order to accomplish the acquisition of Parcel 105, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for the County to acquire in its own name by donation, purchase, or Eminent Domain Proceedings, the fee simple right-of-way on the real property described in Exhibit "A", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.

3. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in Exhibit "A" so long as the property does not change, that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public use and purpose: fee simple right-of-way necessary for the construction of the Project.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- Commissioner Gregg K. Weiss, Mayor \_\_\_\_\_
- Commissioner Maria Sachs, Vice Mayor \_\_\_\_\_
- Commissioner Maria G. Marino \_\_\_\_\_
- Commissioner Michael A. Barnett \_\_\_\_\_
- Commissioner Marci Woodward \_\_\_\_\_
- Commissioner Sara Baxter \_\_\_\_\_
- Commissioner Mack Bernard \_\_\_\_\_

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

PALM BEACH COUNTY, A POLITICAL  
SUBDIVISION OF THE STATE OF FLORIDA,  
BY AND THROUGH ITS BOARD OF COUNTY  
COMMISSIONERS

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By:  \_\_\_\_\_  
Assistant County Attorney

JOSEPH ABRUZZO,  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO TERMS  
AND CONDITIONS

By:  \_\_\_\_\_  
Division Director

**EXHIBIT A  
PBC PROJECT NO.2014500**

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF THE SOUTHWEST QUARTER (S.W.1/4), OF THE SOUTHEAST QUARTER (S.E.1/4) OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 6, SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST, RECORDED IN PLAT BOOK 1, PAGE 4, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, WITH THE THE NORTH LINE OF THE SOUTH 600.00 FEET (MEASURED PERPENDICULAR), OF THE SAID NORTHEAST QUARTER (N.E.1/4), OF THE SOUTHWEST QUARTER (S.W.1/4), OF THE SOUTHEAST QUARTER (S.E.1/4) OF SECTION 32;

THENCE ALONG SAID NORTH LINE OF THE SOUTH 600.00 FEET, N89°29'26"E FOR 50.52 FEET TO A LINE LYING 50.00 FEET EAST OF (MEASURED PERPENDICULAR), AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY;

THENCE ALONG SAID PARALLEL LINE, S07°44'26"W FOR 101.05 FEET TO THE NORTH LINE OF THE SOUTH 500.00 FEET (MEASURED PERPENDICULAR), OF THE SAID NORTHEAST QUARTER (N.E.1/4), OF THE SOUTHWEST QUARTER (S.W.1/4), OF THE SOUTHEAST QUARTER (S.E.1/4) OF SECTION 32;

THENCE ALONG SAID NORTH LINE OF THE SOUTH 500.00 FEET, S89°29'26"W FOR 50.52 FEET TO THE SAID EAST RIGHT-OF-WAY;

THENCE ALONG SAID EAST RIGHT-OF-WAY, N07°44'26"E FOR 101.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,052 SQUARE FEET (0.116 ACRES), MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.

THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

**John E  
Phillips**

Digitally signed by  
John E Phillips  
Date: 2020.12.09  
11:34:41 -05'00'

JOHN E. PHILLIPS, III  
PROFESSIONAL LAND SURVEYOR  
STATE OF FLORIDA No. 4826  
DATE: \_\_\_\_\_

**REVISIONS:**

12/8/20: PBC 10/19/20 COMMENTS

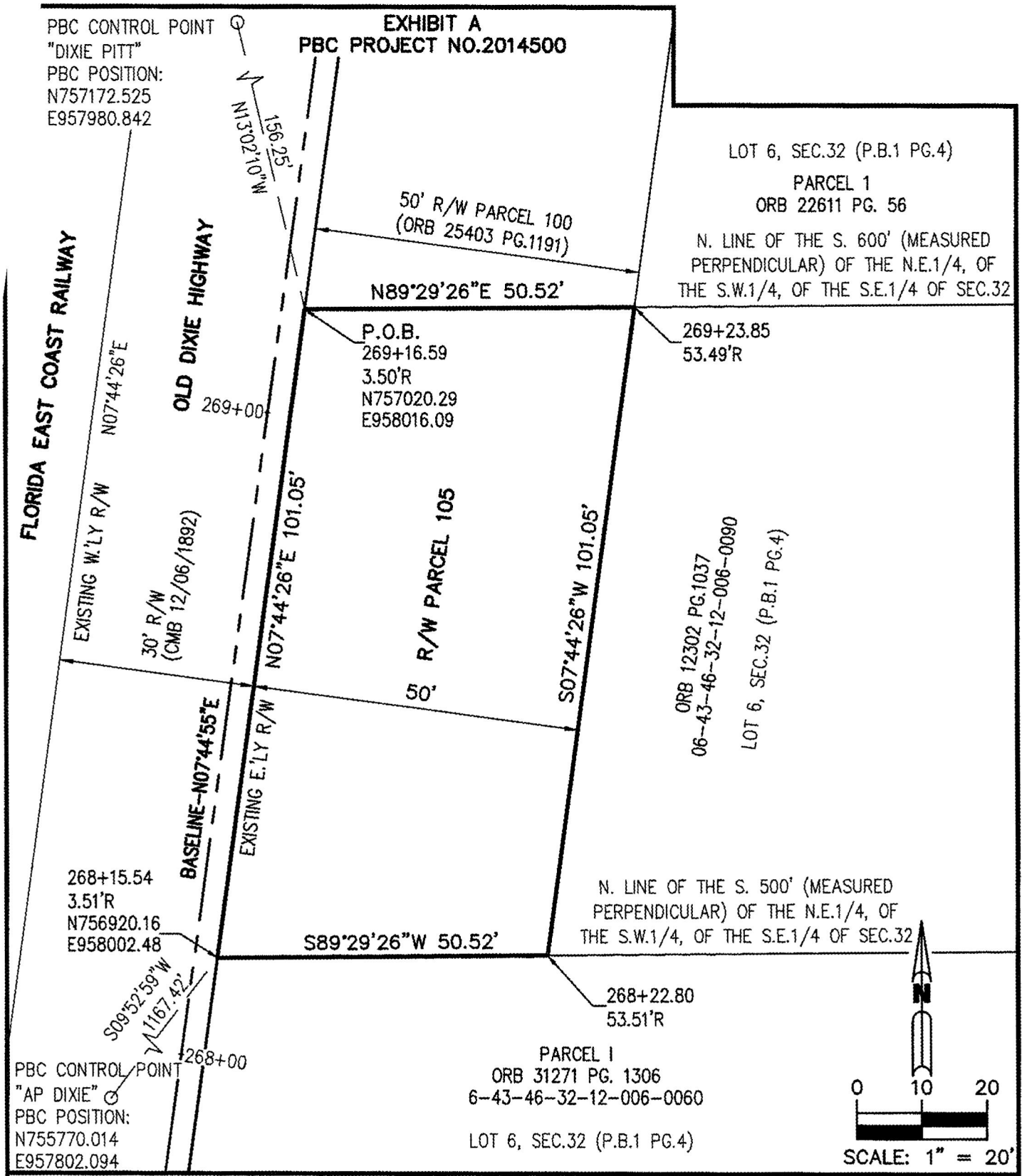


E-Mail: info@brown-phillips.com

**BROWN & PHILLIPS, INC.**  
PROFESSIONAL SURVEYING SERVICES  
CERTIFICATE OF AUTHORIZATION # LB 6473  
1860 OLD OKEECHOBEE ROAD., SUITE 509,  
WEST PALM BEACH, FLORIDA 33409  
TELEPHONE (561)-615-3988, 615-3991 FAX

**OLD DIXIE HIGHWAY  
R/W PARCEL 105  
(THIS IS NOT A SURVEY)**

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 6/19/20
	SHEET 1 OF 3



**BROWN & PHILLIPS, INC.**  
PROFESSIONAL SURVEYING SERVICES  
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TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

<b>OLD DIXIE HIGHWAY R/W PARCEL 105 (THIS SKETCH IS NOT A SURVEY)</b>	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 6/19/20 SHEET 2 OF 3

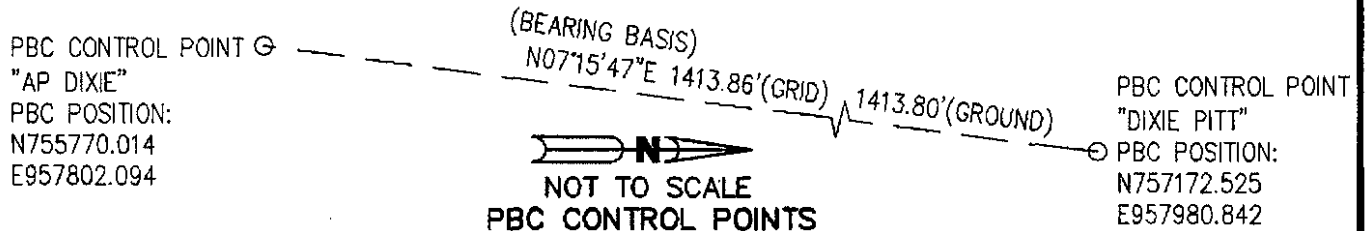
**EXHIBIT A  
PBC PROJECT NO.2014500**

**NOTES:**

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
 

A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD '83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE
C. ZONE - FLORIDA EAST	H. SCALE FACTOR - 1.0000458
D. LINEAR UNIT - US SURVEY FOOT	I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
E. COORDINATE SYSTEM 1983 STATE PLANE	J. ROTATION EQUATION: NONE
- 3) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY-FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN ROAD PLAT BOOK 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THE EXISTING EAST AND WEST R/W LINES FOR THE ORIGINAL 30' R/W FROM CMB 12/06/1892 AS SHOWN HEREON, ARE AS ESTABLISHED ON SAID MAP. SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.  
THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.  
IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
 

P.B. - PLAT BOOK	'L - LEFT OF CENTERLINE OF CONSTRUCTION
ORB - OFFICIAL RECORD BOOK	'R - RIGHT OF CENTERLINE OF CONSTRUCTION
PG. - PG.	(P) - PLAT DIMENSION
DWG. - DRAWING	(C) - CALCULATED DIMENSION
PBC - PALM BEACH COUNTY	U.E. - UTILITY EASEMENT
SEC. - SECTION	D.E. - DRAINAGE EASEMENT
32/46/43 - SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST	L.A.E. - LIMITED ACCESS EASEMENT
HWY. - HIGHWAY	TCE - TEMPORARY CONSTRUCTION EASEMENT
⊕ - BASELINE	CMB - COMMISSIONER'S MINUTES BOOK
⊕ - CENTERLINE	
- 6) BEARINGS ARE BASED ON N07°15'47"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG A LINE BETWEEN PALM BEACH COUNTY CONTROL POINTS "DIXIE PITT" AND "AP DIXIE".



E-Mail: info@brown-phillips.com

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**OLD DIXIE HIGHWAY  
R/W PARCEL 105  
(THIS IS NOT A SURVEY)**

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
<b>DESCRIPTION NOTES</b>	DATE: 6/19/20
	SHEET 3 OF 3



## EXHIBIT "B"

### **OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500**

#### SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 5 lane paved roadway running north and south. Construction for the widening and paving of the Project is for a total distance of 2.9 miles, and is located through a mix of residential and commercial areas. This construction will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. This Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

The design of the Project was done in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (The Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

#### COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel fits into the planned funding for this Project, and the acquisition of this parcel is necessary, in furtherance of this public Project.

#### ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined this roadway as a route required to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors. This portion of Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

#### LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation System Plan (Plan). The Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The Plan serves as the preliminary tool used for transportation planning in Palm Beach County.

#### ENVIRONMENTAL IMPACTS

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.

## **EXHIBIT "B"**

*Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:*

### **ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 105**

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements.

RESOLUTION NO. R-2023 - \_\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DECLARING THE ACQUISITION OF FEE SIMPLE RIGHT-OF-WAY DESIGNATED AS PARCEL 105, NECESSARY FOR THE CONSTRUCTION OF ROADWAY IMPROVEMENTS ON OLD DIXIE HIGHWAY FROM YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, TO BE FOR A PUBLIC USE AND PURPOSE, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.**

WHEREAS, the Palm Beach County (County) Engineer has recommended the acquisition of fee simple right-of-way, designated as Parcel 105, on the property described in Exhibit "A", to the Board of County Commissioners (BCC); and

WHEREAS, the parcel is necessary for the construction and improvement of Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project); and

WHEREAS, the funds are available for the acquisition of fee simple right-of-way designated as Parcel 105; and

WHEREAS, the property owner has not accepted the offer to purchase made by the County; and

WHEREAS, the BCC is exercising its authority of Eminent Domain pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended; and

WHEREAS, in determining to proceed with the Project, and determining the Project's location, including Parcel 105, the BCC has considered the required factors pursuant to Florida law, including safety, costs, alternate routes or methodologies, long range plans, and the environment, as applicable to this parcel, more fully described in Exhibit "B"; and

WHEREAS, after considering the factors as set forth above, the BCC has determined that the acquisition of fee simple right-of-way designated as Parcel 105 on property which is more fully described in Exhibit "A", is necessary for the construction and improvement of the Project, and is for a public use and purpose deemed to be in the best interest of the County; and

WHEREAS, the proposed construction use and purpose of Parcel 105 are more fully described in Exhibit "B"; and

WHEREAS, the construction limits shall not extend beyond the limits as outlined in Exhibit "A"; and

WHEREAS, the fee simple right-of-way on property described in Exhibit "A" to be acquired through Eminent Domain as authorized by this Resolution, is not being acquired for the purpose of abating or eliminating public nuisances, slum or blighted conditions, and is subject to any applicable conveyance restrictions pursuant to Florida law, to the extent they may apply; and

WHEREAS, in order to accomplish the acquisition of Parcel 105, the County Engineer and the County Attorney, using outside counsel to the extent they deem appropriate, are authorized to take legal action, including the filing of Eminent Domain Proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

1. The BCC adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for the County to acquire in its own name by donation, purchase, or Eminent Domain Proceedings, the fee simple right-of-way on the real property described in Exhibit "A", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain Proceedings are prosecuted to judgment.

3. The County Engineer and County Attorney, using outside counsel to the extent they deem appropriate, are hereby further authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including correcting minor errors in the description of any real property described in Exhibit "A" so long as the property does not change, that may be necessary to fully accomplish those purposes.

**BE IT FURTHER RESOLVED** that the property described in Exhibit "A" is to be used for the following public use and purpose: fee simple right-of-way necessary for the construction of the Project.


The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- Commissioner Gregg K. Weiss, Mayor \_\_\_\_\_
- Commissioner Maria Sachs, Vice Mayor \_\_\_\_\_
- Commissioner Maria G. Marino \_\_\_\_\_
- Commissioner Michael A. Barnett \_\_\_\_\_
- Commissioner Marci Woodward \_\_\_\_\_
- Commissioner Sara Baxter \_\_\_\_\_
- Commissioner Mack Bernard \_\_\_\_\_

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

PALM BEACH COUNTY, A POLITICAL  
SUBDIVISION OF THE STATE OF FLORIDA,  
BY AND THROUGH ITS BOARD OF COUNTY  
COMMISSIONERS

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By:  \_\_\_\_\_  
Assistant County Attorney

JOSEPH ABRUZZO,  
CLERK OF THE CIRCUIT COURT  
& COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO TERMS  
AND CONDITIONS

By:  \_\_\_\_\_  
Division Director

**EXHIBIT A  
PBC PROJECT NO.2014500**

A PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES IN THE NORTHEAST QUARTER (N.E.1/4), OF THE SOUTHWEST QUARTER (S.W.1/4), OF THE SOUTHEAST QUARTER (S.E.1/4) OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LOT 6, SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST, RECORDED IN PLAT BOOK 1, PAGE 4, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF OLD DIXIE HIGHWAY, WITH THE THE NORTH LINE OF THE SOUTH 600.00 FEET (MEASURED PERPENDICULAR), OF THE SAID NORTHEAST QUARTER (N.E.1/4), OF THE SOUTHWEST QUARTER (S.W.1/4), OF THE SOUTHEAST QUARTER (S.E.1/4) OF SECTION 32;

THENCE ALONG SAID NORTH LINE OF THE SOUTH 600.00 FEET, N89°29'26"E FOR 50.52 FEET TO A LINE LYING 50.00 FEET EAST OF (MEASURED PERPENDICULAR), AND PARALLEL WITH, THE SAID EAST RIGHT-OF-WAY;

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CONTAINING 5,052 SQUARE FEET (0.116 ACRES), MORE OR LESS.

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**John E  
Phillips**

Digitally signed by  
John E Phillips  
Date: 2020.12.09  
11:34:41 -05'00'

JOHN E. PHILLIPS, III  
PROFESSIONAL LAND SURVEYOR  
STATE OF FLORIDA No. 4826  
DATE: \_\_\_\_\_

**REVISIONS:**

12/8/20: PBC 10/19/20 COMMENTS

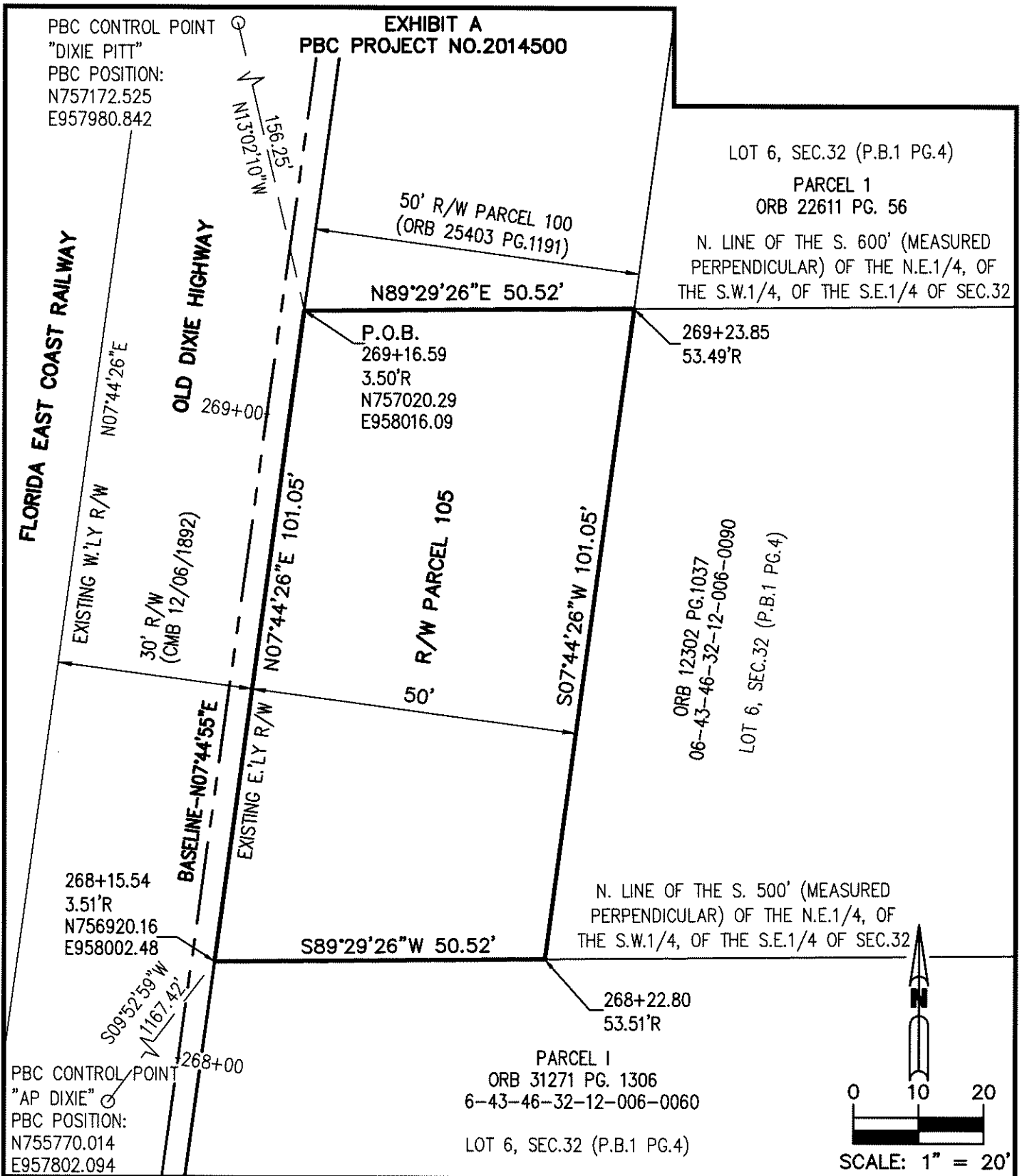


E-Mail: info@brown-phillips.com

**BROWN & PHILLIPS, INC.**  
PROFESSIONAL SURVEYING SERVICES  
CERTIFICATE OF AUTHORIZATION # LB 6473  
1860 OKEECHOBEE ROAD., SUITE 509,  
WEST PALM BEACH, FLORIDA 33409  
TELEPHONE (561)-615-3988, 615-3991 FAX

**OLD DIXIE HIGHWAY  
R/W PARCEL 105  
(THIS IS NOT A SURVEY)**

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 6/19/20
	SHEET 1 OF 3



**BROWN & PHILLIPS, INC.**  
PROFESSIONAL SURVEYING SERVICES  
CERTIFICATE OF AUTHORIZATION # LB 6473  
1860 OLD OKEECHOBEE ROAD., SUITE 509,  
WEST PALM BEACH, FLORIDA 33409  
TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

**OLD DIXIE HIGHWAY**  
**R/W PARCEL 105**  
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 6/19/20
	SHEET 2 OF 3

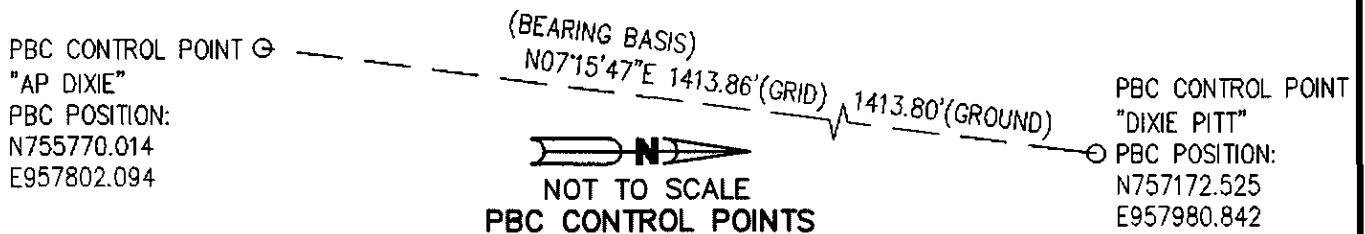
**EXHIBIT A  
PBC PROJECT NO.2014500**

**NOTES:**

- 1) BASELINE STATIONING IS BASED ON A ROADWAY PLAN FOR OLD DIXIE HIGHWAY, YAMATO ROAD TO LINTON BOULEVARD, PREPARED BY AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC, PALM BEACH COUNTY PROJECT No.2014-500.
- 2) STATE PLANE COORDINATES:
 

A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD '83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE
C. ZONE - FLORIDA EAST	H. SCALE FACTOR - 1.0000458
D. LINEAR UNIT - US SURVEY FOOT	I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
E. COORDINATE SYSTEM 1983 STATE PLANE	J. ROTATION EQUATION: NONE
- 3) THESE R/W PARCELS OR TCE'S ARE BEING PREPARED IN ACCORDANCE WITH THE R/W MAP FOR OLD DIXIE HIGHWAY-FROM JEFFERY STREET TO NORTH OF THE C-15 CANAL, AS RECORDED IN ROAD PLAT BOOK 12, PAGES 119 THROUGH 134, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THE EXISTING EAST AND WEST R/W LINES FOR THE ORIGINAL 30' R/W FROM CMB 12/06/1892 AS SHOWN HEREON, ARE AS ESTABLISHED ON SAID MAP. SEE SAID MAP FOR A DETAILED EXPLANATION OF THE METHODS AND PROCEDURES USED IN ITS PREPARATION.
- 4) THE RIGHT-OF-WAY INFORMATION PROVIDED BY PALM BEACH COUNTY ON AUGUST 13, 2015 AND UPDATED ON MAY 17, 2017, HAS BEEN REVIEWED BY THIS OFFICE.  
THIS OFFICE HAS FOUND NO GAPS, GORES, OVERLAPS, OR MISSING SEGMENTS IN THE RIGHT-OF-WAY CORRIDOR PROVIDED, AND THAT ALL ENCUMBRANCES THAT AFFECT THE PROPERTY ARE SHOWN OR NOTED HEREON. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS OFFICE.  
IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS LEGAL DESCRIPTION AND SKETCH.
- 5) ABBREVIATIONS:
 

P.B. - PLAT BOOK	'L - LEFT OF CENTERLINE OF CONSTRUCTION
ORB - OFFICIAL RECORD BOOK	'R - RIGHT OF CENTERLINE OF CONSTRUCTION
PG. - PG.	(P) - PLAT DIMENSION
DWG. - DRAWING	(C) - CALCULATED DIMENSION
PBC - PALM BEACH COUNTY	U.E. - UTILITY EASEMENT
SEC. - SECTION	D.E. - DRAINAGE EASEMENT
32/46/43 - SECTION 32, TOWNSHIP 46 SOUTH, RANGE 43 EAST	L.A.E. - LIMITED ACCESS EASEMENT
HWY. - HIGHWAY	TCE - TEMPORARY CONSTRUCTION EASEMENT
⊕ - BASELINE	CMB - COMMISSIONER'S MINUTES BOOK
⊕ - CENTERLINE	
- 6) BEARINGS ARE BASED ON N07°15'47"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG A LINE BETWEEN PALM BEACH COUNTY CONTROL POINTS "DIXIE PITT" AND "AP DIXIE".



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<b>OLD DIXIE HIGHWAY R/W PARCEL 105 (THIS IS NOT A SURVEY)</b>	
DRAWN: MDB	PROJ. No. 15-026
CHECKED: JEP	SCALE: NONE
<b>DESCRIPTION NOTES</b>	DATE: 6/19/20
	SHEET 3 OF 3

## EXHIBIT "B"

### **OLD DIXIE HIGHWAY, YAMATO ROAD TO SOUTH OF LINTON BOULEVARD, PALM BEACH COUNTY, PROJECT #2014500**

#### SAFETY

Old Dixie Highway from Yamato Road to south of Linton Boulevard (Project) is currently a 2 to 5 lane paved roadway running north and south. Construction for the widening and paving of the Project is for a total distance of 2.9 miles, and is located through a mix of residential and commercial areas. This construction will improve the link between Yamato Road and Linton Boulevard by adding a center turn lane, curb and gutter, sidewalks, additional drainage, bridge replacement and signal work. This Project will improve the overall safety for motorists, bicyclists and pedestrians, and will improve the operation of several intersections within the Project limits.

The design of the Project was done in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (The Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

#### COST

The cost of improving this portion of Old Dixie Highway was estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction was budgeted in the County's Five Year Road Program. During the design of the roadway, all reasonable efforts were made to minimize the areas to be acquired through Eminent Domain.

After considering Safety, Alternate Routes and Methodologies, Planning, and Environmental factors, the cost of the acquisition of this parcel fits into the planned funding for this Project, and the acquisition of this parcel is necessary, in furtherance of this public Project.

#### ALTERNATE ROUTES

Old Dixie Highway is a heavily travelled roadway passing through residential and commercial areas. The Palm Beach County Comprehensive Plan (Thoroughfare Right-of-Way-Identification Map) has for many years defined this roadway as a route required to meet traffic demands at full development of the County. Palm Beach County's Comprehensive Plan has been prepared to meet the requirements of Chapter 163, Florida Statutes, and Rule 9J-5, F.A.C., and to address the needs and interests of the County's residents and visitors. This portion of Old Dixie Highway traverses the cities of Boca Raton and Delray Beach. Construction of an alternate north-south route through the cities would disrupt or displace numerous residential and commercial properties, be more costly, and result in unnecessary impacts to the environment.

#### LONG RANGE PLANNING

The development of this Project is in conformance with Palm Beach County's 2045 Long Range Transportation System Plan (Plan). The Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The Plan serves as the preliminary tool used for transportation planning in Palm Beach County.

#### ENVIRONMENTAL IMPACTS

Old Dixie Highway is an established roadway corridor. The limits of the Project are bordered by existing commercial developments, and the proposed improvements will have minimal negative impacts to the environment. This roadway improvement project will be permitted through the appropriate environmental regulatory agencies as applicable.



**EXHIBIT "B"**

*Following is a more detailed outline of the reasons for acquisition needed for the improvement of Old Dixie Highway within the previously stated project limits:*

**ACQUISITION FOR FEE SIMPLE RIGHT-OF-WAY PARCEL 105**

Currently, Palm Beach County owns a road right-of-way interest on Old Dixie Highway that varies in width from 30 feet to approximately 80 feet, from Yamato Road to south of Linton Boulevard. The parcel to be acquired abuts Old Dixie Highway, represents acquisition outside of the existing right-of-way, and is required to accommodate roadway widening, shoulders, curb and gutter, sidewalk, and drainage improvements.